

REMARKS/ARGUMENTS

Claims 1-21 are active in this application.

Claims 3 and 7 are amended to correct obvious typographical errors.

A substitute Abstract is also provided.

No new matter is added by these amendments.

In view of the cancellation of Claim 22, Applicants request the rejection under 35 U.S.C. § 102(b) be withdrawn.

Applicants thank the Examiner for indicating that Claims 1-21 are allowable over the prior art of record (see page 7 of the Official Action). In view of the following remarks, Applicants request withdrawal of the rejections under 35 U.S.C. § 112, second paragraph and allowance of all pending claims.

In the Official Action, the Examiner has rejected the claims as allegedly containing limitations which do not distinctly claim the subject matter recited therein. Specifically, the Examiner objects to the use of the term “azeotrope” and the phrase referring to the distillation boundary. In a conversation held between the Examiner and Applicants’ undersigned representative, the undersigned explained to the Examiner that this is clearly defined in the specification in the last paragraph on page 7 and thus what is meant by these terms is clear. The Examiner indicated she would take this portion of the specification under advisement and reconsider the rejection. For ease of reference, the discussion from the specification is reproduced below:

As used herein, “distillation boundary line connecting an azeotrope of tert-butanol and water and an azeotrope of 2-butanol and water” means the line which connects the binary water/TBA azeotrope at about 11% by mass of water (the literature reports values at atmospheric pressure of from 10 to 12.5% by mass) (point B in fig. 1) and the binary water/SBA azeotrope at about 28% by mass of water (the literature reports values at atmospheric pressure of from 26.7 to 32% by mass) (point C in fig. 1). This distillation boundary line separates two distillation fields. The above three-component system, shown

in figure 1, thus displays two distillation fields: distillation field 1 in the region A-B-C-A and distillation field 2 in the region B-E-D-C-B. In the distillation field 1, the high boiler is water, the low boiler in this region is the TBA/water azeotrope and the intermediate boiler is the SBA/water azeotrope which cannot be separated off in pure form.

As the rejection pertains to Claim 9, it was noted during the above-noted discussion that Claim 9 is not at odds with Claim 1 (the claim on which Claim 9 depends). Claim 9 sets forth embodiments of separating of the stream of 2-butanol as set forth in (c) of Claim 1.

With respect to the phrase “the limit concentration of the distillation boundary line” antecedent basis exists in the phrase itself, i.e., the limit concentration of the distillation boundary for a given system of compounds depends on the pressure and compounds used separating the two distillation fields (see also the section of the specification from page 7 reproduced above).

Accordingly, and in view of the above, Applicants request withdrawal of the rejections under 35 U.S.C. § 112, second paragraph.

To the provisional rejections of Claims 1-16 under the judicially created doctrine of obviousness-type double patenting in view of co-pending application serial no. 10/790,707 by itself or combined with Aron or Rhiel, Applicants request that these rejections be held in abeyance since the alleged conflicting claims have not yet been patented (referring to the discussion in M.P.E.P. § 822.01).

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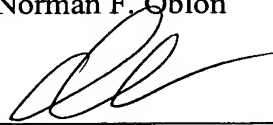
Reply to Office Action of November 14, 2005

Applicants also request an early indication that all pending claims have been allowed.

Respectfully submitted,

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(OSMMN 06/04)